

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Richmond Division**

LIMELIGHT NETWORKS, INC.,

Plaintiff and Counterclaim  
Defendant,

v.

XO COMMUNICATIONS, LLC.,

Defendant,

AKAMAI TECHNOLOGIES, INC.,

Defendant and Counterclaim  
Plaintiff,

MASSACHUSETTS INSTITUTE OF  
TECHNOLOGY,

Counterclaim Plaintiff.

Case No. 3:15cv720-JAG

**JURY TRIAL DEMANDED**

**LIMELIGHT NETWORKS, INC.'S RESPONSIVE LIST OF  
EXHIBITS TO BE USED AT TRIAL**

Pursuant to Rule 26(a)(3)(A)(iii) of the Federal Rules of Civil Procedure and Paragraph 14 of the Scheduling Order (D.I. 55), as modified by the Order Granting the Extension of Certain Pre-Trial Deadlines (D.I. 247), Plaintiff Limelight Networks, Inc. ("Limelight") hereby identifies the following responsive list of exhibits that Limelight may use at trial in response to Defendant and Counterclaim Plaintiff Akamai Technologies, Inc.'s ("Akamai's") initial proposed list of exhibits (D.I. 266-1), filed on November 30, 2016. Limelight identifies this responsive list of exhibits as a supplement to and in addition to the initial list of exhibits Limelight identified in its Exhibits to be Used at Trial (D.I. 270), filed on November 30, 2016, and which Limelight incorporates herein by reference.

Limelight's identification of these initial and responsive exhibit lists is not a commitment that Limelight will use any particular exhibit at trial or a representation that the exhibits listed are admissible for all purposes at trial. Limelight may use some of the listed exhibits only for impeachment or identification purposes. These disclosures are made without waiver of and without prejudice to any objections Limelight may have, including those that may form the basis of any pending or future motions, including Limelight's summary judgment motions, motions to strike, *Daubert* motions, and/or motions *in limine* regarding the subject matter of these disclosures or documents identified or referenced herein. Limelight expressly reserves all such objections. Inclusion of a document on Limelight's exhibit lists does not waive any objections Limelight may have to use of that document as an exhibit at trial. Limelight reserves the right to use, or not use, any of the exhibits identified herein and in its initial exhibit list at its discretion, and Limelight also reserves the right to object to Akamai Technologies, Inc.'s ("Akamai's") use of these exhibits for improper purposes at trial. Limelight also reserves the right to use any exhibit listed by Akamai on Akamai's initial or responsive exhibit lists.

These disclosures are based on information that is reasonably available to Limelight at this time and at this stage of the proceedings. Further investigation and analysis may yield additional information or documents. Limelight reserves the right to add exhibits based on Akamai's pretrial disclosures, based on subsequent events, or as otherwise appropriate. Finally, these disclosures are made without waiver of Limelight's rights to protect the confidentiality of these documents or documents identified or referenced herein and in its initial exhibit list, including without limitation, by sealing and/or redacting the documents. Limelight expressly reserves all such rights. Pursuant to the Scheduling Orders (D.I. 55, D.I. 247), the parties will

follow a separate procedure for exchange of objections, including Limelight's general objections to Akamai's initial and responsive exhibit lists.

Date: December 7, 2016

Respectfully submitted,

/s/ Natasha Saputo

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## United States District Court

Limelight Networks, Inc.

Exhibit List

v.

Case Number:3:15-cv-00720-JAG

XO Communications, LLC and Akamai Technologies,

Presiding Judge: John A. Gibney					Plaintiff's Attorney: Matthew D. Powers and Maya Eckstein		Defendant's Attorney:	
Trial Date(s):					Court Reporter:		Courtroom Deputy:	
LX No.	AX No.	JX No.	Objections	Admitted	Description	Production Beg.	Production End	Deposition Exhibit
1282					FEO Tools, dated 11/1/2013	AKAM0596928	AKAM0596930	
1283					Summary Cache: A Scalable Wide-Area Web Cache Sharing Protocol	LLNW_00324115	LLNW_00324127	
1284					Craig De Ruisseau - Visual CV - ( <a href="https://www.visualcv.com/craigforhire">https://www.visualcv.com/craigforhire</a> )	LLNW_00324303	LLNW_00324309	
1285					Screenshot of Limelight Control (click add product) ( <a href="http://ux.llnw.com/index.php?module=sales&amp;page=ordermanagement&amp;requestType=getCompanySummariesByCompanyNames&amp;companyNames=example#endOfsList">ux.llnw.com/index.php?module=sales&amp;page=ordermanagement&amp;requestType=getCompanySummariesByCompanyNames&amp;companyNames=example#endOfsList</a> )	LLNW_00323974	LLNW_00323974	
1286					Screenshot of <a href="http://rt.llnw.com/Ticket/Display.html?id=4513024">rt.llnw.com/Ticket/Display.html?id=4513024</a>	LLNW_00324001	LLNW_00324001	
1287					The New Cool - Proof of Concept, dated 8/1/1999	AKAM0588648	AKAM0588658	
1288					ICP and the Squid Web Cache (Wessels et al.), dated April 1998	LLNW_00323337	LLNW_00323349	
1289					Newton's Telecom Dictionary, 28th Updated & Expanded Edition	LLNW_00323350	LLNW_00323386	
1290					Cloud Computing Glossary, <a href="https://www.akamai.com/us/en/resources/cdn-and-cloud-services-glossary.jsp">https://www.akamai.com/us/en/resources/cdn-and-cloud-services-glossary.jsp</a>	LLNW_00323417	LLNW_00323437	
1291					Email from Eric Graham to Craig Conboy et al. re: FEO Suggested Policies UI, dated 3/3/2014	AKAM0597024	AKAM0597024	
1292					AkamaiWiki: FEO Single Click Config, dated 7/26/2013	AKAM0596921	AKAM0596921	
1293					Email from Tom Mistretta to David Kaufman et al. re: Integrating safe performance tool into the portal, dated 9/24/2012	AKAM0597033	AKAM0597033	
1294					Akamai Presentation: What is FEO? - Testing tools, UMP, GHOST for FEO, and FEO TOOLS	AKAM0596724	AKAM0596724	
1295					Expert Report of Mark Crovella, Ph.D., Regarding Infringement of U.S. Patent Nos. 6,108,703, 6,553,413 and 7,103,645 by Defendant Limelight Networks, Inc., dated 11/2/2007	None	None	
1296					Crovella Expert Report Appendix A	None	None	
1297					Crovella Expert Report Exhibit 1, Mark E. Crovella CV	None	None	
1298					Expert Report of Frank Thomson Leighton, Ph.D.	None	None	Leighton-Ex003
1299					Deposition of F. Thomson Leighton, dated 1/29/2007, Case No. 06-CA-11109	None	None	
1300					Deposition of F. Thomson Leighton, dated 1/17/2001, Case No. 00-cv-11851	AKL026288	AKL026372	
1301					Business Wire - "Sandpiper Launches Footprint Distribution Service to Improve Web Site Performance; Cost-Effective Service Manages Content Delivery for Web Publishers," dated 9/28/1998 (DX1109)	AKAM0443769	AKAM0443770	
1302					Exhibit D to Defendant and Counterclaim Plaintiffs Akamai Technologies, Inc. and Massachusetts Institute of Technology's First Supplemental Preliminary Infringement Contentions, dated 6/17/2016	None	None	
1303					Deposition of F. Thomson Leighton, dated 9/13/2007, Case No. 06-CA-11109	None	None	
1304					Mir Order Form, Beverage, Main Course, Dessert	None	None	Mir-Ex016
1305					Computer and Communication Networks, Second Edition, by Nadir F. Mir	None	None	Mir-Ex019
1306					Loris DNS with handwritten notes	None	None	Mir-Ex025
1307					Exhibit 1: Kevin C. Almeroth CV, dated 11/2/2016	None	None	
1308					Exhibit 1: Michael J. Freedman CV, dated 9/23/2016	None	None	
1309					Declaration of Mark Crovella, Ph.D., dated 1/16/2008, Case No. 06-cv-11109	None	None	
1310					Akamai Submission to USPTO dated 2013 07 03 for US Patent App No. 12-901571	None	None	
1311					Akamai Submission to USPTO dated 2014 01 24 for US Patent App No. 12-901571	None	None	
1312					Akamai Submission to USPTO dated 2014 03 13 for US Patent App No. 12-901571	None	None	
1313					Akamai Submission to USPTO dated 2015 06 15 for US Patent App No. 12-901571	None	None	
1314					Akamai Submission to USPTO dated 2016 05 14 for US Patent App No. 12-901571	None	None	
1315					Akamai Submission to USPTO dated 2013 05 23 for US Patent App No. 12-901571	None	None	

**CERTIFICATE OF SERVICE**

I hereby certify that on the 7th day of December, 2016, a true copy of the foregoing will be electronically filed with the Clerk of Court using the CM/ECF system, which will then send a notification of such filing (NEF).

/s/ *Natasha M. Saputo*

Natasha M. Saputo